

North Carolina Agriculture Cost Share Program Review Summary
(September 2015)

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County	<u>Jones</u>	Date of Previous Review/Report	<u>2010</u>
District Staff Name(s)	<u>Tiffeny Yohman, Keith Metts</u>	Date	<u>9/30/2015</u>
NRCS Staff Name(s)	<u>Keith Jackson DC, Mike Harriett</u>		
Division Representative(s)	<u>Lisa Fine, Kristina Fischer</u>		
Additional Participants	<u>Sam Davis Board Chairman</u>		

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Section 1: Application Procedures and Tracking Progress (BMP Implementation and Payments)										
Questions in this section focus on how the district advertises the program, how applications are developed, how contracts are developed, how funds are tracked and how the board approves each.										
How/when are the district board meetings scheduled?				X	Used to be scheduled at board meetings but have a more standard date now. Every third Thursday at 9:00 a.m. Plan to put on their website soon.		X			

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How do you notify the public of the board meeting schedule? Does it adhere to the Open Meetings Law?		X			A notice is posted in window at office and at courthouse and sometimes post office. District gives at least a 10 day notice. Yes, it meets Open Meetings Law which is 7 days. District website – <u>recommend</u> asking county staff to add dates for meetings; this is required by Open Meetings Law if one of the district employees maintains the website. Since this is performed by a county employee outside of the district, recommend requesting addition of dates in favor of openness.	X		Since review I have also posted our board meeting information (dates, place and time) on the Jones County website.	Already started.	Plan of Action Accepted. Completed.

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<i>Please describe the district's process for providing assistance to applicants by assessing resource concerns to determine if a BMP is "needed and feasible" and then developing the conservation plan.</i>				X	Most folks come in person to request assistance. Keith goes out and does an assessment. Mostly they have a specific request when Keith goes out. Hardly ever does anyone ask for something they don't need.		X			
<i>In what instances does the district provide technical assistance without cost share funds?</i>				X	The district provides TA without paying for cost share on projects like laying out drain tile, waste plan modifications for swine, and some erosion issues.		X			
<i>Are applications reviewed and approved by the Board as a separate action item?</i>				X	Yes, they are reviewed and approved as separate action items.		X			
<i>Are application motions/decisions recorded in the board minutes?</i>				X	Yes, it is recorded in the minutes.		X			
Applicants are limited when applying for incentive BMPs. How does your district track applicants so they do not go over the practice caps and to be sure they haven't already "adopted" the practice? Is your district using the self-certification for incentives form provided by the division?	X				District uses spreadsheet to track practices and goes over the active contracts at each meeting. Commendation: the district is commended for following up on status every month and making the board aware of the progress. The division will send a copy of a spreadsheet that another district created to track incentives. The district has not done an incentive contract since the self-certification form was created. The staff is aware of the		X			

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					form now.					
If multiple partners farm together, how does the district track individual applicants as one operation or entity?				X	Keith knows all farmers in county. Follows tax number too. FSA in Onslow County now none in Jones. Can get in touch with Onslow if needed.		X			
At what point in the application process does the district develop the contract? Describe this process.				X	If an applicant doesn't qualify then a contract is never created. Applications and contracts are done at the same time. If ineligible no application is ever created. Julie Henshaw put an email out about definition of bonafide farm recently.		X			
Describe how the district reviews the contract with the applicant. Do you explain that work cannot begin until the contract is approved by the division?				X	Cooperator comes by the office and Keith gives him his information or mails it or drops it off. Keith explains the timelines and deadlines in person.		X			
Describe the district/board's procedure for approving supervisor contracts.				X	Supervisors are treated the same as everyone else. No points are given or taken away for being a supervisor.		X			
Are contracts reviewed and approved by the Board as a separate action item?				X	Yes, contracts are reviewed and approved as separate action items.		X			
Are contract motions/decisions recorded in the board minutes?				X	Yes, motions and decisions are recorded in the minutes.		X			

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Is it documented in the Board minutes that the supervisor abstained from discussing his/her own contract and from voting?	X				Yes, evidence was found that supervisors abstained from voting on his or her own contracts or from contracts where a conflict of interest may be found. Commendation: the staff is commended for the quality of the board minutes taken in relation to cost share.		X			
What procedures do you follow for notifying the applicant that work can begin?		X			Keith calls cooperator and lets them know work can begin. Recommendation – the division recommends the district send a letter with timelines. Examples provided via email.	X		Will include in application procedure.	Immediately	Plan of Action Accepted. Completed.
What information do you provide the applicant?				X	A copy of contract, maps, standards, job sheets is given to the applicant.		X			
What technical assistance do you provide during the BMP installation process to ensure the BMP is installed correctly and by the contract deadline?				X	Keith does the survey and helps install pipe on grade. Keith is on site to check on progress and assists sometimes.		X			
How do you track the Commission's interim performance milestone? One-third of the work must be completed within 12 months of division approval.		X			Keith gives updates to board at each meeting so he knows the status by using spreadsheets to prepare the updates. Recommendation: the district should add a column to their spreadsheet for the 1/3 date.	X		This column has been added to our spreadsheet in reference to the date a third of the work was completed.	Already done.	Plan of Action Accepted Completed.


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If 1/3 of the work has not been completed within 12 months and the cooperator requests additional time, is the district recording 6-month extensions in the board minutes?				X	Keith says they haven't had one lately but have in the past and it was recorded in the minutes.		X			
What documentation do you include in the contract file that certifies that the BMP was inspected and is installed to the standards and specifications?				X	Keith puts a note in the conservation notes that the BMP was completed to standards and specs.		X			
Are BMPs measured then certified before the request for payment is approved? How is this documented?				X	Keith does measure the BMP. Documents in the conservation notes.		X			
Are receipts received and reviewed for CSP BMPs that are based on actual cost?				X	Yes receipts are reviewed.		X			
Are request for payments reviewed and approved by the board as a separate action item?				X	Yes RFPs are reviewed and approved by the board as separate action items.		X			
<i>Are payment motions/decisions recorded in the board minutes?</i>				X	Yes, motions and decisions are recorded in the minutes.		X			
Section 2: Spot Checks and Compliance Issues Questions in this section focus on how the district reviews BMPs for compliance and how maintenance and/or non-compliance issues are addressed.										
<i>Who participates in annual spot checks? When are they conducted?</i>				X	Usually the district has 2 supervisors and Keith. They are done in early spring – March or April.		X			


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How does the district randomly select which contracts to spot check?				X	Keith gets a list of active contracts, gets total, then figures out what 5% is then picks the number of contracts he needs. Looks at everything put in that year too.		X			
<i>Are all BMPs under the waste management category spot checked for the first five years after installation? This applies to all farms that fall under the thresholds that are regulated by DWR.</i>				X	Yes Keith adds them to the 5% if they weren't picked randomly. Keith looks at spreadsheet to make sure he has selected all animal waste BMPs.		X			
Are all agriculture new ponds, pond repair/retrofits, and water collection systems being spot-checked every year during the maintenance period?				X	The district has not had any completed yet.		X			
Are all agriculture road repair/stabilizations being spot-checked at least every 2 years during the maintenance period?				X	The district does not have any of these.		X			
How does the district notify the NRCS area office (for ACSP contracts) or division (for CCAP contracts) to conduct spot checks on lands owned or operated by a district, county, division or NRCS employee or district supervisor? This includes CPOs, revisions, supplements or repairs.				X	Keith has contracts and supervisor contracts and lets the DC or NRCS folks know by email or asks in person and the Area Office comes to review the contracts.		X			


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The North Carolina Statute 02 NCAC 59D.0107(f) states "If the technical representative of the district determines that a BMP for which program funds were received has been destroyed or has not been properly maintained, the applicant will be notified that the BMP must be repaired or re-implemented within 30 working days. For vegetative practices, applicants are given one calendar year to re-establish the vegetation." How does your district notify individuals that have destroyed or mismanaged a BMP?		X			Keith usually calls them. Recommendation: District should write letter to cooperator. Chairman should sign the letter. Copy of letter should be sent to the division.	X		A template letter has been created and will be implemented into our contract/agreement procedure.	<u>Immediately.</u>	<u>Plan of Action Accepted.</u> <u>Completed.</u>
How are supervisors notified of BMPs that are found to be destroyed or mismanaged at any time throughout the year?		X			Have not always notified the board if the BMP was fixed after Keith notified the cooperator. Recommendation: staff notifies the board of any non-compliance or maintenance issues.	X		Keith will include in his monthly report to the board, status on all BMP's in non-compliance/repairs/maintenance if needed.	<u>Immediately.</u>	<u>Plan of Action Accepted.</u> <u>Completed.</u>
Does the district provide a written notice that the BMP must be repaired or re-implemented within 30 working days? (Vegetative practices have to be reestablished within one calendar year.) Is a copy of the notification kept in the contract file?		X			Keith tells them in person but if found during spot checks they send a letter. Recommendation: District should send a letter signed by chair to cooperator with timeline in it and keep a copy and send one to cost share specialist. Follow-up/resolution should be sent to Raleigh as well. The new compliance policy can be found here: http://www.ncagr.gov/SWC/costshareprograms/documents/noncompliance_jan2014.pdf	X		To date a letter has been implemented and practiced in November. In which a follow up, second letter will be sent to the cooperator in thirty days to check if they have complied with maintenance on BMP as requested from the Soil and Water Conservation office.	<u>Immediately.</u>	<u>Plan of Action Accepted.</u> <u>Completed.</u>


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If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation.				X	Yes a refund was requested and paid but it's been 15 years. The last name of the cooperator who had to repay was Bell.		X			
<i>Is the district notifying the division of non-compliance and resolutions?</i>				X	The spot check form is the only notification given right now. No others found in last 15 years that didn't repair the BMP after Keith told them. See above.		X			
Section 3: Record Keeping Questions in this section focus on how funds are managed and accounted for, maintaining proper design and job approval authority, as well as disclosure forms.										
How does the district track BMP funds?				X	The district uses a spreadsheet to track BMP funds for all programs		X			
In what instances does the district use the division on-line (website & CS ²) reports?				X	Keith doesn't get on the reporting module so they don't use our website or CS2 reports. Do use Paula's report about payments. Lisa Fine showed staff how to get on to see reports during the program review.		X			
How are technical assistance and operating funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	Money goes to county and district does not track it. Tiffeny trying to get in to county finance program to be able to review funds. Still working on fiscal year audit so I reviewed last year's audit. June 2014.		X			
Who in the office is funded by Cost Share Technical Assistance (TA) from the State?				X	Keith Metts		X			


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How are matching funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	Same as TA and operating.		X			
Is proper job approval authority (JAA) documented for each technical and cost share position? Please provide a copy of the latest approved JAA.				X	Yes		X			
Section 4: Contract Reviews and Site Visits Below is a list of the contracts the division reviewed. Spot checks were also conducted. Notes include recommendations and/or corrective action for contract files as well as the BMP. Contracts/BMPs are listed by contract number.										
Contract Number: 52-2011-501, 52-2012-501 (S) Applicant Name: County of Jones BMP: permeable pavement				X	No concerns with file. No concerns with BMP.		X			


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Contract Number: 52-2010-003 Applicant Name: Michael Shepherd BMP: grade stabilization structure				X	No concerns with file. No concerns with BMP.		X			
Contract Number: 52-2009-006 Applicant Name: Michael Shepherd BMP: grade stabilization structure				X	No concerns with file. No concerns with BMP.		X			

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Contract Number: 52-2013-001 Applicant Name: Robert Davenport BMP: field border 		X			No concerns with file. <u>Recommendation:</u> Field border needs reshaped and reseeded. Cooperator is working on it. Gets blown out.	X		Letter has been sent to Mr. Davenport on November 24, 2015. E-mailed copy to Lisa Fine and copy to cooperator's file. Follow up letter for second review will be sent out on December 18, 2015.	Immediately.	Plan of Action Accepted.
Contract Number: 52-2008-007 Applicant Name: Helen Haddock BMP: cropland conversion to trees				X	No concerns with file. No concerns with BMP but trees will need to be thinned soon.		X			

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Contract Number: 52-2009-001 Applicant Name: Billie Raye Turner BMP: well				X	No concerns with file. No concerns with BMP.		X			

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Contract Number: 52-2012-006 Applicant Name: Billie Raye Turner BMP: litter spreader				X	No concerns with file. No concerns with BMP.		X			

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Contract Number: 52-2007-005 Applicant Name: Phillip Banks BMP: grade stabilization structure		X			No concerns with file. Recommendation: Maintenance is needed on the grade stabilization structure – rock on backside needs reset and vegetation overgrowth around the area needs to be addressed.	X		Letter has been sent to Mr. Banks. E-mailed copy to Lisa Fine and copy to cooperator's file. Follow up letter for second review will be sent in thirty days.	Immediately.	Plan of Action Accepted.

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					NOTE: Waste is being stored on the ground on the farm but DWR is aware of it.					